

Preliminary Amendment

National Stage Entry of PCT/JP03/015882
Attorney Docket No.: Q88235

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (original): A method for selecting an *Escherichia coli* strain which highly expresses an exogenous gene, comprising selection using the intensity of stress response as an index.
2. (original): The selection method according to claim 1, wherein the stress response is hydrogen peroxide decomposition activity.
3. (currently amended): The selection method according to claim 1 , wherein the strain to be selected is one where an exogenous gene whose expression tends to decrease by causes other than loss or mutation of a plasmid when introduced into an *Escherichia coli* is highly expressed.
4. (original): An *Escherichia coli* strain which highly expresses an exogenous gene, the strain being selected using the intensity of stress response as an index.
5. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4, wherein the stress response is hydrogen peroxide decomposition activity.
6. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4 , wherein an exogenous gene whose expression tends to decrease by causes other than loss or mutation of a plasmid when introduced into an *Escherichia coli* is highly expressed.

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7. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4, wherein the initial amount of gene expression is maintained or enhanced during subculture when a gene, whose expression amount in other *Escherichia coli* strains is reduced to half the initial expression amount during 30 subculture generations, is expressed in the strain.

8. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 6 , wherein the exogenous gene whose expression decreases by causes other than loss or mutation of a plasmid is a gene of an ammonia lyase.

9. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 8, wherein the expression gene of an ammonia lyase is a gene of phenylalanine ammonia lyase.

10. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 9, wherein the gene of phenylalanine ammonia lyase is derived from a plant.

11. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 10, wherein the plant is *Lithospermum erythrorhizon*.

12. (currently amended): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 4, wherein the *Escherichia coli* strain is derived from K12 strain.

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13. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 12, wherein the *Escherichia coli* strain is derived from XL1-Blue strain.

14. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 13, wherein the *Escherichia coli* strain is *Escherichia coli* SD840 strain.

15. (original): The *Escherichia coli* strain which highly expresses an exogenous gene according to claim 14, wherein the *Escherichia coli* strain is a derivative strain obtained from *Escherichia coli* SD840 strain by clone selection or gene manipulation.

16. (original): *Escherichia coli* SD840 strain (Deposit No. FERM BP-08546).

17. (currently amended): A process for producing an enzyme, comprising expressing the exogenous gene of the *Escherichia coli* strain which highly expresses the exogenous gene according to claim 4.

18. (currently amended): A process for producing a compound, comprising reacting a treating solution containing the *Escherichia coli* strain which highly expresses the exogenous gene according to claim 4 or an enzyme thereby produced with a substrate of the enzyme.

19. (original): The process for producing a compound according to claim 18, wherein the enzyme is an ammonia lyase, the substrate is an unsaturated carboxylic acid, and the resulting compound is an L-amino acid and/or its derivatives.